

FILED

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CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

TRACY CARTER; ENMA DELEON;  
JACKIE GENTRY; GRACE LERIGET;  
GLENDA MEDLOCK; MIRIAM  
MENDOZA; NICOLE MERCIER;  
MICHELLE MINJAREZ; and PABLO  
SANCHEZ,

Plaintiffs,

vs.

COUNTY OF LOS ANGELES; LOS  
ANGELES DEPARTMENT OF  
PUBLIC WORKS; MIKE  
CHOLOKIAN; and DOES 1 through 10,

Defendants.

Case No: CV09 07656 DDP (Ex)

COMPLAINT FOR DAMAGES AND  
INJUNCTIVE RELIEF

1. Fourth Amendment to the United States Constitution; 42 U.S.C. § 1983;
2. California Constitution Art. I, § 1;
3. Common Law Invasion of Privacy
4. Intentional Infliction of Emotional Distress

DEMAND FOR JURY TRIAL

1 **INTRODUCTION**

2 1. Plaintiffs Tracy Carter, Enma DeLeon, Jackie Gentry, Grace Leriget, Glenda  
3 Medlock, Miriam Mendoza, Nicole Mercier, Michelle Minjarez and Pablo Sanchez  
4 worked for dispatchers for the County of Los Angeles Department of Public Works. In  
5 October 2008, the County secretly installed a hidden camera in the dispatch room where  
6 plaintiffs work, eat and change their clothes. For approximately three months, the  
7 County captured plaintiffs on videotape in various states of undress and other private  
8 activities. Defendants' actions constitute a grievous violation of the right to privacy  
9 guaranteed by the United States Constitution, the California Constitution, and state  
10 common law for which plaintiffs are entitled to general, exemplary and punitive  
11 damages.

12 **JURISDICTION AND VENUE**

13 2. This court has subject matter jurisdiction over this action pursuant to 28  
14 U.S.C. § 1331 (federal question), 28 U.S.C. § 1343 (civil rights) and 28 U.S.C. § 1367  
15 (supplemental jurisdiction). Venue is proper in the Central District of California under  
16 28 U.S.C. § 1391(b)(2) in that the wrongs alleged herein occurred within the County of  
17 Los Angeles, within the Central District.

18 **PARTIES**

19 3. PLAINTIFFS Tracy Carter, Enma DeLeon, Jackie Gentry, Grace Leriget,  
20 Glenda Medlock, Miriam Mendoza, Nicole Mercier, Michelle Minjarez and Pablo  
21 Sanchez ("Plaintiffs") are, and were, at all times relevant, residents of Los Angeles  
22 County or San Bernardino County. At all times relevant, PLAINTIFFS were employees  
23 of the Department of Public Works. PLAINTIFFS all performed work as dispatchers in  
24 Information Technology Division's dispatch room.

25 4. PLAINTIFF TRACY CARTER is a Dispatcher with the Department of  
26 Public Works. Upon information and belief, Ms. Carter appears on the videotapes  
27 secretly recorded by defendants in the dispatch room of the Department of Public Works.

28 5. PLAINTIFF ENMA DELEON is a Dispatcher with the Department of

1 Public Works. Upon information and belief, Ms. DeLeon appears on the videotapes  
2 secretly recorded by defendants in the dispatch room of the Department of Public Works.

3 6. PLAINTIFF JACKIE GENTRY is a Dispatcher with the Department of  
4 Public Works. Upon information and belief, Ms. Gentry appears on the videotapes  
5 secretly recorded by defendants in the dispatch room of the Department of Public Works.

6 7. PLAINTIFF GRACE LERIGET worked as a Dispatcher with the  
7 Department of Public Works. Upon information and belief, Ms. Leriget appears on the  
8 videotapes secretly recorded by defendants in the dispatch room of the Department of  
9 Public Works.

10 8. PLAINTIFF GLENDA MEDLOCK is a Dispatcher with the Department of  
11 Public Works. Upon information and belief, Medlock appears on the videotapes secretly  
12 recorded by defendants in the dispatch room of the Department of Public Works.

13 9. PLAINTIFF MIRIAM MENDOZA worked as a Dispatcher with the  
14 Department of Public Works. Upon information and belief, Ms. Mendoza appears on the  
15 videotapes secretly recorded by defendants in the dispatch room of the Department of  
16 Public Works.

17 10. PLAINTIFF NICOLE MERCIER worked as a Dispatcher with the  
18 Department of Public Works. Upon information and belief, Ms. Mercier appears on the  
19 videotapes secretly recorded by defendants in the dispatch room of the Department of  
20 Public Works.

21 11. PLAINTIFF MICHELLE MINJAREZ is a Dispatcher with the Department  
22 of Public Works. Upon information and belief, Ms. Minjarez appears on the videotapes  
23 secretly recorded by defendants in the dispatch room of the Department of Public Works.

24 12. PLAINTIFF PABLO "PAUL" SANCHEZ is a Dispatcher with the  
25 Department of Public Works. Upon information and belief, Mr. Sanchez appears on the  
26 videotapes secretly recorded by defendants in the dispatch room of the Department of  
27 Public Works.

28 13. Defendant COUNTY OF LOS ANGELES was and is a legal political entity

1 established under the laws of the State of California, with all the powers specified and  
2 necessarily implied by the Constitution and the laws of the State of California and  
3 exercised by a duly elected Board of Supervisors and/or their agents and officers. At all  
4 times relevant herein for all purposes connected with management of the Department of  
5 Public Works, defendant County of Los Angeles acted directly through Building  
6 Manager Mike Chelokian and Does 1 through 10 inclusive.

7 14. DEFENDANT LOS ANGELES DEPARTMENT OF PUBLIC WORKS  
8 (“DPW”) is a subdivision and agency of the County of Los Angeles. The DPW is an  
9 operating department of the County and charged with the responsibility of providing  
10 effective public works services for the County of Los Angeles.

11 15. DEFENDANT MIKE CHOLOKIAN was at all times relevant a  
12 Building Manager for the Department of Public Works. Mike Chelokian is sued  
13 individually and in his official capacities.

14 16. DEFENDANT DOES 1 through 10, (“DOES”) inclusive, are not known or  
15 identified at this time. On information and belief, PLAINTIFFS allege that each DOE is  
16 in some manner responsible for the wrongs alleged herein, and that each such defendant  
17 advised, encouraged, participated in, ratified, directed or conspired to do the wrongful  
18 acts alleged herein. When the true names and capacities of said defendants become  
19 known, plaintiffs will seek relief to amend this Complaint to show their true identities in  
20 place of their fictitious names as DOES 1 through 10.

21 **FACTS COMMON TO ALL CLAIMS**

22 17. Plaintiffs have at all times relevant to this complaint been employees  
23 of the defendant County.

24 18. On approximately October 9, 2008, the County secretly installed a hidden  
25 surveillance camera in the Los Angeles Department of Public Works Information  
26 Technology Division’s Dispatch Room (the “dispatch room”).

27 19. The surveillance camera was concealed in a smoke detector in the ceiling of  
28 the dispatch room. The surveillance camera was connected to a video tape recorder

1 located outside the dispatch room.

2 20. The camera was installed under the supervision and authority of individuals  
3 in Human Resources: Mike Cholakian, the Building Manager; and Isaac Gindi,  
4 Information Technology Department Division Chief. The camera recorded plaintiffs  
5 while they worked, changed and engaged in other private activity in the dispatch room.

6 21. Prior to the discovery of the camera, plaintiffs believed that the dispatch  
7 room was private and not subject to monitoring by anyone. Plaintiffs reasonably  
8 believed that they could not be seen by anyone who was not in the dispatch room at the  
9 time. Plaintiffs conducted themselves accordingly by using the dispatch room to change  
10 clothes, engage in personal phone calls, and the like.

11 22. The dispatch room is staffed twenty-four hours a day with dispatchers who  
12 handle emergency calls. Dispatchers who work after-hours are not permitted to leave the  
13 room other than to use the restroom. The dispatch room has assigned lockers where  
14 dispatchers may store their belongings, and a small kitchen area with a fridge so that  
15 dispatchers may eat during their shifts without leaving the room.

16 23. The dispatch room is not open to members of the public and is accessible by  
17 door with an electronic lock. The door automatically locks every weekday at 5:00 p.m.  
18 and is locked every weekend. During the swing/graveyard shift (from about 5:15 p.m.  
19 until about 6:00 a.m.), there is typically only one dispatcher working in the dispatch  
20 room. At other times, there are anywhere from two to four dispatchers working in the  
21 dispatch room.

22 24. When plaintiffs worked in the dispatch room, particularly when they worked  
23 alone on the swing/graveyard shift, they often engaged in private activities. These  
24 activities included changing their clothes at the beginning or end of their shifts. When  
25 plaintiffs worked alone in the dispatch room, they believed that their activities were not  
26 being observed by anyone.

27 25. On approximately December 11, 2008 dispatcher Amber Richards  
28 discovered the hidden surveillance camera inside of the smoke detector. She asked

1 maintenance to remove the camera. The following day, she called the police to report  
2 that she found a hidden camera.

3 26. On December 16, 2008, plaintiffs filed a union grievance regarding the  
4 camera.

5 27. On December 23, 2008, Ms. Richards was called into Human  
6 Resources and interrogated about various topics that apparently had been seen while she  
7 was being recorded by the hidden camera.

8 28. Plaintiffs have at all times relevant to this action conducted themselves in a  
9 manner consistent with an actual expectation of privacy in the dispatch room. The  
10 plaintiffs at no time consented or waived their expectation of privacy.

11 29. The defendants, in committing the acts complained of herein, acted pursuant  
12 to a policy, practice or custom of the County of Los Angeles. At all times, the  
13 defendants were aware, or should have been aware, of their acts were in violation of the  
14 law.

15 30. At all times relevant to this action, the defendants acted without legal  
16 justification in installing the camera and/or in the scope of the video recording.

17 31. By reason of the aforementioned acts of defendants, plaintiffs suffered  
18 anxiety, anguish, humiliation, and emotional distress, in an amount according to proof.

19 32. Defendants Mike Chelokian and Does 1-10 acted despicably, with the intent  
20 to harm, oppress and deprive plaintiffs of their rights under the United States and  
21 California Constitutions, and the common law right to privacy entitling plaintiffs to  
22 punitive damages in an amount to be proven at trial.

23 33. Plaintiffs are entitled to an award of reasonable attorneys' fees as allowed  
24 by law, including, without limitation, under 42 U.S.C. § 1988 and California Code of  
25 Civil Procedure § 1021.5.

26 34. Plaintiffs filed tort claims against all Defendants, under California  
27 Government Code § 900 *et seq.* with the County of Los Angeles on June 9, 2009 alleging  
28 violations of the law right to privacy. By letter dated June 19, 2009, the County rejected



1 the claims for activities occurring before December 9, 2009 on the grounds that the  
2 claims were filed more than 6 months after they occurred. However, as alleged herein,  
3 plaintiffs did not discover the hidden camera until December 10, 2008, and their claims  
4 accrued as of that date. The County is still investigating claims for conduct on or after  
5 December 10, 2009 and has not yet issued a notice of denial.

6 **FIRST CAUSE OF ACTION**

7 **Fourth Amendment to the United States Constitution; 42 U.S.C. § 1983**

8 **(Plaintiffs v. All Defendants)**

9 35. Plaintiffs re-allege and incorporate herein all the allegations in the  
10 preceding paragraphs.

11 36. Plaintiffs had a reasonable expectation of privacy while engaged in regular  
12 and usual conduct for a private dispatch room, in that they reasonably believed that they  
13 were free from observation by those not present in the dispatch room and were not  
14 subject to video surveillance or recording. Plaintiffs' privacy interest is one recognized  
15 by the relative customs of the time and place, the occupation of the plaintiffs and the  
16 habits of society.

17 37. Plaintiffs also had a subjective expectation of privacy while engaged in  
18 regular and usual conduct for a dispatch room after hours, in that they each believed that  
19 they were free from observation by those not present in the dispatch room and were not  
20 subject to video surveillance or recording.

21 38. Defendants, by installing video surveillance in the dispatch room and  
22 secretly recording video images of plaintiffs as alleged herein, violated the plaintiffs'  
23 right to be free from unreasonable searches and seizures under the Fourth Amendment to  
24 the United States Constitution, and are therefore liable to plaintiffs under 42 U.S.C. §  
25 1983.

26 39. The conduct complained of herein was undertaken pursuant to the  
27 policies, practices and customs of the Los Angeles Department of Public Works, an  
28 agency of the County of Los Angeles, and was sanctioned and approved by each of the

1 individual named defendants, including the Doe defendants.

2 40. Defendants, acting under color of state law and through their policies,  
3 practices and customs, deprived plaintiffs of rights, privileges, and immunities secured  
4 by the Constitution and laws of the United States under the Fourth Amendment, by  
5 subjecting them, or through their deliberate indifference allowing others to subject them  
6 to unreasonable searches and seizures.

7 41. As a result of the aforementioned acts, plaintiffs were injured as set forth  
8 above and are entitled to compensatory damages against all Defendants.

9 42. Defendants Mike Chelokian and Does 1-10 acted despicably, with the intent  
10 to harm, oppress and deprive plaintiffs of their rights under the United States and  
11 California Constitutions, and the common law right to privacy entitling plaintiffs to  
12 punitive damages in an amount to be proven at trial.

13 **SECOND CAUSE OF ACTION**

14 **California Constitution Art. I, § 1**

15 **(Plaintiffs v. All Defendants)**

16 43. Plaintiffs re-allege and incorporate herein all the allegations in the  
17 preceding paragraphs.

18 44. Plaintiffs maintained at all times relevant to this action, a specific, legally  
19 protected privacy interest. That interest is to be free from invasions of privacy, including  
20 secret video monitoring and recording, while engaged in conduct usual and regular for a  
21 private dispatch room.

22 45. Plaintiffs had a reasonable expectation of privacy while engaged in regular  
23 and usual conduct for a dispatch room, in that they reasonably believed that they were  
24 free from observation by those not present in the dispatch room and were not subject to  
25 video surveillance or recording. Plaintiffs' privacy interest is one recognized by the  
26 relative customs of the time and place, the occupation of the plaintiffs and the habits of  
27 society.

28 46. The defendants' conduct, as alleged herein, constitutes an egregious breach



1 of social norms underlying the privacy right and a serious invasion of plaintiffs' privacy.

2 47. Defendants, by installing video surveillance in the dispatch room and  
3 secretly recording video images of plaintiffs, including some images of plaintiffs in  
4 ranging states of undress as alleged herein, invaded said privacy right as protected by the  
5 Constitution of the State of California, Article I, Section 1.

6 48. As a result of the aforementioned acts, plaintiffs were injured as set forth  
7 above and are entitled to compensatory damages against all Defendants.

8 49. Defendants Mike Chelokian and Does 1-10 acted despicably, with the intent  
9 to harm, oppress and deprive plaintiffs of their rights under the United States and  
10 California Constitutions, and the common law right to privacy entitling plaintiffs to  
11 punitive damages in an amount to be proven at trial.

12 **THIRD CAUSE OF ACTION**

13 **Common Law Invasion of Privacy**

14 **(Plaintiffs v. All Defendants)**

15 50. Plaintiffs re-allege and incorporate herein all the allegations in the  
16 preceding paragraphs.

17 51. Plaintiffs had a reasonable expectation of privacy while engaged in regular  
18 and usual conduct for a dispatch room, in that they reasonably believed that they were  
19 free from observation by those not present in the dispatch room and were not subject to  
20 video surveillance or recording. Plaintiffs' privacy interest is one recognized by the  
21 relative customs of the time and place, the occupation of the plaintiffs and the habits of  
22 society.

23 52. Plaintiffs have a right to avoid disclosure of confidential personal  
24 information, including the surveillance of said plaintiffs while in ranging states of  
25 undress, and to be free from invasions of said right, while engaged in conduct regular  
26 and usual for a dispatch room.

27 53. Defendants' actions were unreasonable and highly offensive to the  
28 plaintiffs, and to the senses of ordinary persons. Defendants' conduct contravenes all

1 boundaries of decency and standards of a civilized society.

2 54. Defendants, by installing video surveillance in the dispatch room and  
3 secretly recording video images of plaintiffs as alleged herein, invaded plaintiffs' right  
4 to privacy and intruded upon plaintiffs' private matters and are therefore liable to  
5 plaintiffs under the laws of the State of California.

6 55. As a result of the aforementioned acts, plaintiffs were injured as set forth  
7 above and are entitled to compensatory damages against all Defendants.

8 56. Defendants Mike Chelokian and Does 1-10 acted despicably, with the intent  
9 to harm, oppress and deprive plaintiffs of their rights under the United States and  
10 California Constitutions, and the common law right to privacy entitling plaintiffs to  
11 punitive damages in an amount to be proven at trial.

12 **FOURTH CAUSE OF ACTION**

13 **(Intentional Infliction of Emotional Distress)**

14 **(Plaintiffs v. All Defendants)**

15 57. Defendants' conduct was extreme and outrageous, and caused  
16 plaintiffs to sustain emotional distress.

17 58. Defendants acted with reckless disregard of the probability that  
18 plaintiffs would suffer emotional distress.

19 59. As a result of the aforementioned acts, plaintiffs were injured as set forth  
20 above and are entitled to compensatory damages against all Defendants.

21 60. Defendants Mike Chelokian and Does 1-10 acted despicably, with the intent  
22 to harm, oppress and deprive plaintiffs of their rights under the United States and  
23 California Constitutions, and the common law right to privacy entitling plaintiffs to  
24 punitive damages in an amount to be proven at trial.

25 **PRAYER FOR RELIEF**

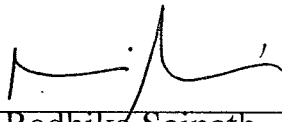
26 WHEREFORE, plaintiffs pray for the following relief:

- 27 1. General, special, and compensatory damages against all Defendants  
28 according to proof;

2. Punitive damages against individual Defendants Mike Chelokian and Does 1-10;
3. Costs of suit;
4. Attorneys' fees under 42 U.S.C. § 1988, California Code of Civil Procedure § 1021.5, California Government Code § 800, and otherwise as permitted by law; and
5. Injunctive relief;
6. Such other and further relief as the Court deems just and proper.

DATED: October 21, 2009

Respectfully submitted,  
HADSELL, STORMER, KEENY,  
RICHARDSON & RENICK LLP.

By   
Radhika Sainath  
Attorneys for Plaintiffs

**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a jury trial on all issues so triable.

DATED: October 21, 2009

Respectfully submitted,  
HADSELL, STORMER, KEENY,  
RICHARDSON & RENICK LLP.

By



Radhika Sainath  
Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Dean D. Pregerson and the assigned discovery Magistrate Judge is Charles Eick.

The case number on all documents filed with the Court should read as follows:

**CV09 - 7656 DDP (Ex)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☒ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

COPY

Anne Richardson, Esq. [S.B. #151541]  
 Radhika Sainath, Esq. [S.B. #259318]  
 HADSELL STORMER KEENY  
 RICHARDSON AND RENICK LLP  
 128 North Fair Oaks Avenue  
 Pasadena, California 91103-3664

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

TRACY CARTER; et al. [See attached]

PLAINTIFF(S)

v.

COUNTY OF LOS ANGELES; LOS ANGELES  
 DEPARTMENT OF PUBLIC WORKS; MIKE  
 CHOLOKIAN; and DOES 1 through 10,

DEFENDANT(S).

CASE NUMBER

CV09 07656 DDP (EX)

SUMMONS

TO: DEFENDANT(S): County of Los Angeles; LA Dept. of Public Works; Mike Cholakian; and Does 1-10

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ \_\_\_\_\_ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Anne Richardson/Radhika Sainath, whose address is HadsellStormerKeenyRichardsonRenick 128 N. Fair Oaks Ave.#204, PasadenaCA 91103. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: OCT 21 2009

By: CHRISTOPHER POWERS  
 Deputy Clerk **SEAL**  
 (Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].



**SUMMONS ATTACHMENT**

**PLAINTIFFS**

TRACY CARTER; ENMA DELEON; JACKIE GENTRY; GRACE LERIGET;  
GLENDA MEDLOCK; MIRIAM MENDOZA; NICOLE MERCIER; MICHELLE  
MINJAREZ; and PABLO SANCHEZ,

PLAINTIFF(S)

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> TRACY CARTER; ENMA DELEON; JACKIE GENTRY; GRACE LERIGET; GLENDA MEDLOCK; MIRIAM MENDOZA; NICOLE MERCIER; MICHELLE MINJAREZ; and PABLO SANCHEZ		<b>DEFENDANTS</b> COUNTY OF LOS ANGELES; LOS ANGELES DEPARTMENT OF PUBLIC WORKS; MIKE CHOLOKIAN; and DOES 1 through 10	
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  Anne Richardson, Esq. [S.B. #151541]/Radhika Sainath, Esq. [S.B. #259318] Hadsell Stormer Keeny Richardson & Renick, LLP, 128 N. Fair Oaks Ave., Pasadena, CA 91103, (626) 585-9600		Attorneys (If Known)	

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:40%;">Citizen of This State</td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td></td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF	DEF	Incorporated or Principal Place of Business in this State	PTF	DEF	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1		<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

**IV. ORIGIN** (Place an X in one box only.)  
☒ 1 Original Proceeding    
 ☐ 2 Removed from State Court    
 ☐ 3 Remanded from Appellate Court    
 ☐ 4 Reinstated or Reopened    
 ☐ 5 Transferred from another district (specify):    
 ☐ 6 Multi-District Litigation    
 ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT:** JURY DEMAND: ☒ Yes   ☐ No (Check 'Yes' only if demanded in complaint.)  
**CLASS ACTION** under F.R.C.P. 23: ☐ Yes   ☒ No    
 **MONEY DEMANDED IN COMPLAINT:** \$ according to proof

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 42 USC §1983, Violation of 4th Amendment and rights to privacy based on covert surveillance.

**VII. NATURE OF SUIT** (Place an X in one box only.)
 

<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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FOR OFFICE USE ONLY: Case Number:

CV09 07656

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes  
 If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes  
 If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.  
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County and San Bernardino County	

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.  
☒ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.  
**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

**Note: In land condemnation cases, use the location of the tract of land involved**

**X. SIGNATURE OF ATTORNEY (OR PRO PER):**  **Date** October 21, 2009

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))